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PATENT

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP NO. 2859**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Wills**

Serial No.: **10/560,955**

Group Art Unit: **2859**

Filed: **May 22, 2006**

Examiner: **Richard A. Smith**

Confirmation No.: **1670**

Title: **Medical Devices**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE UNDER 37 C.F.R. §1.116

In response to the Final Rejection dated March 6, 2008 in regard to the above-identified patent application, Applicant respectfully requests reconsideration in light of the discussion herein.

Claims 13-24 are pending in the present application.

I. The Claimed Invention is Not Obvious

Claims 13, 15-17, and 19-24 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 4,256,752 (hereinafter, "Perlman") in view of U.S. Patent No. 5,228,573 (hereinafter, "Pavelle"). In particular, the Office states that "it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the medical device and the method of informing, taught by Perlman et al., to include a semi-permeable membrane and to change the latent display to indicate a maximum effective shelf-life or useful